

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MISSOURI  
EASTERN DIVISION**

**MISSOURI PRIMATE FOUNDATION,  
et al.,**

**Plaintiffs and  
Counterclaim Defendants,**

**v.**

**PEOPLE FOR THE ETHICAL  
TREATMENT OF ANIMALS, INC., et al.,**

**Defendants and  
Counterclaim Plaintiffs.**

**Case No. 4:16-cv-02163**

**[PROPOSED] ORDER**

Before the Court is the Motion of Counterclaim Plaintiffs, People for the Ethical Treatment of Animals, Inc. and Angela Scott a/k/a Angela G. Cagnasso (together, “Plaintiffs”), pursuant to Rule 37 and 34(a)(2) of the Federal Rules of Civil Procedure and the Court’s inherent authority to manage these proceedings, for an order compelling Counterclaim Defendant Andrew Sawyer (“Sawyer”) to produce the chimpanzee named Joey (“Joey”) for inspection at the location where Sawyer presently confines Joey, to allow Plaintiffs a full and fair opportunity to discover whether Joey’s present conditions of confinement comply with the requirements of the Endangered Species Act.

Good cause appearing, **IT IS HEREBY ORDERED** that Plaintiffs’ motion is **GRANTED** as follows.

1. The Court finds that Sawyer did not sufficiently demonstrate that the Fifth Amendment privilege applies to the requested inspection, and his objection on Fifth

Amendment grounds is therefore **OVERULED**.

2. Sawyer is hereby **ORDERED** that on a date mutually agreed upon by the parties, but in no event later than 21 days from the date of this Order, Sawyer shall produce Joey at the location where he is currently kept, and allow Plaintiffs and their experts a full and fair opportunity to discover whether the treatment and manner of confinement of Joey complies with the requirements of the Endangered Species Act.
3. Plaintiffs are **GRANTED** an award of costs and attorneys' fees relating to the motion to compel, and Plaintiffs have 14 days from the date of this Order to file an affidavit detailing these attorneys' fees and costs.

Date: \_\_\_\_\_

\_\_\_\_\_  
CATHERINE D. PERRY  
UNITED STATES DISTRICT JUDGE